

CASE NO. 03307037

Part \_\_\_\_\_ of \_\_\_\_\_ Parts

# In The Circuit Court for Baltimore City **CIVIL**

In the Matter of

MAYOR AND CITY COUNCIL OF BALTIMORE CITY  
  
VS.  
  
FHK PROPERTIES PARTNERSHIP ET AL

*Box 556*  
*04/22/12/11*

*C*

172121



mentioned Key Highway northerly by a line curving to the left with a 440 foot radius the distance of 120.36 feet, which arc is subtended by a chord bearing north 20 degrees 00 minutes 00 seconds west 110.99 feet; thence by a line curving to the right with a 15 foot radius the distance of 37.2 feet, which arc is subtended by a chord bearing north 43 degrees 12 minutes 38.5 seconds east 28.37 feet to the southwest side of said Key Highway East; and thence binding on the southwest side of Key Highway East, south 65 degrees 44 minutes 30 seconds east 223.59 feet to the place of beginning known as 1465 Key Highway.

TOGETHER with the improvements thereupon, and all the rights, ways, waters, easements, privileges, advantages and appurtenances thereto belonging or in anywise appertaining.

2. AND that the damages to be sustained by the Defendant in this cause for the aforesaid interest in and to the property, as above described, in accordance with their respective interest therein, subject to the adjustment to the date payment is made by the City to the Defendant, of all State and municipal real estate taxes and public charges are,

TWO HUNDRED TEN THOUSAND FIVE HUNDRED THIRTY-NINE 00/00 DOLLARS  
\$210,539.00

Payment of the aforesaid sums having been made to the Defendant in accordance with their respective interest therein subject the adjustment to the date payment was made by the City to the Defendant of all State and municipal real estate taxes and public charges, the title to the fee simple part take interest to the property described in the Petition filed in this cause is hereby vested in the Mayor and City Council of Baltimore, a municipal corporation, clear and discharged from any claim, lien or demand of the Defendant.

IN WITNESS WHEREOF, I, one of the Judges of the Circuit Court for Baltimore City, sitting without the intervention of a Jury, a Jury Trial having been waived either by consent or default of the parties hereto, do hereby set my hand this 30 day of January, 1994.

  
\_\_\_\_\_  
J U D G E

RECEIVED FOR RECORD  
CIRCUIT COURT FOR  
BALTIMORE CITY

95 MAR 15 AM 8:50

SAUNDRA E. BANKS, CLERK

5102

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000000431

001H8742 A \*\*\*\* MISC # \$0.00  
001H8742 A \*\*\*\* MISC # \$0.00

R-462



IN WITNESS WHEREOF, one of the judges of the Circuit Court  
has hereunto set his hand and seal this 15th day of March, 1995.

30



MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

Plaintiff

vs.

FHK PROPERTIES PARTNERSHIP,  
ET AL

Defendants

IN THE  
CIRCUIT COURT

FOR  
BALTIMORE CITY

CASE NO. 93307037/  
CL172121

*17*

\* \* \* \* \*

**ORDER**

Upon the foregoing Petition to Withdraw funds, it is this 27<sup>a</sup> day of  
March, 1995, by the Circuit Court for Baltimore City,

ORDERED, that the Clerk of the Court be and is hereby directed to issue a  
check in the amount of \$150,935.98, drawn on funds in the Registry of this Court, payable  
to AMOCO OIL COMPANY together with accrued interest, if any.

*[Handwritten Signature]*  
\_\_\_\_\_  
Judge

RICHARD T. ROMBRO  
JUDGE

\* \* \* \* \*

15  
96

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

RECEIVED  
CIRCUIT COURT FOR  
BALTIMORE CITY

IN THE  
CIRCUIT COURT  
FOR

Plaintiff

1995 FEB 28 A 7:53

CIVIL DIVISION

vs.

BALTIMORE CITY

FHK PROPERTIES PARTNERSHIP,  
ET AL

Defendants

CASE NO. 93307037/  
CL172121

\* \* \* \* \*

**PETITION TO WITHDRAW FUNDS**

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Amoco Oil Company, by its attorneys, Joseph N. Schaller and Whiteford, Taylor & Preston, respectfully represents:

1. That on November 3, 1993, the City filed the Petition to Condemnation for Immediate Possession and Title against the perpetual drainage easement interest in 1465 Key Highway, Baltimore, Maryland.

2. That on or about January 13, 1993, the City filed Amended Petitions for Condemnation and Immediate Possession and Title to acquire the fee simple interest in 1465 Key Highway, Baltimore, Maryland (the "Property"). Subsequently, this Honorable Court ordered that the Clerk of the Court deposit the sum of \$59,400, tendered

by the Mayor and City Council of Baltimore in the Registry of this Court subject to further order.

3. That the Mayor and City Council of Baltimore withdrew from the Court Registry the sum of \$203.02 for certain municipal liens which were the responsibility of the Petitioner herein.

4. That on or about January 19, 1995, the City filed an Amended Petition for Condemnation for Immediate Possession and Title of the Property. Subsequently, this Honorable Court ordered that the Clerk of the Court deposit an additional sum of \$151,139.00, tendered by the Mayor and City Council of Baltimore in the Registry of this Court subject to further Order.

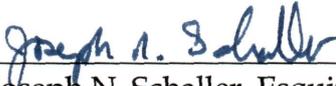
5. On December 21, 1994, the Circuit Court for Baltimore City ordered the Clerk of the Court to issue a check to Amoco Oil Company in the amount of \$49,818, which represented a portion of the deposited funds to which the Petitioner was entitled for damages to its leasehold interest in the Property.

6. That the Petitioner is entitled to the balance of the deposited funds in the amount of \$150,935.98. This sum represents the balance of the damages to Petitioner's leasehold interest in the Property. FHK Properties Partnership is entitled to that portion of the total sums deposited in the Registry for this matter as an award for the fee simple taking in the amount of \$9,582.

WHEREFORE, your Petitioner prays that this Honorable Court pass an Order directing the Clerk of the Court to issue a check payable to Amoco Oil Company,

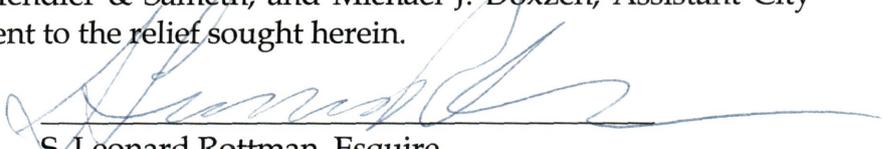
drawn upon funds deposited in the Registry of this Court in the amount of One Hundred Fifty Thousand Nine Hundred and Thirty-Five Dollars and Ninety-Eight Cents (\$150,935.98).

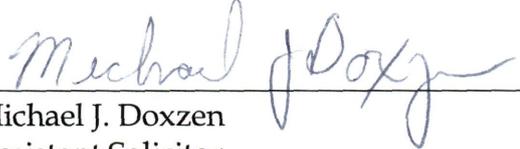
AND for such other further relief as the nature of Petitioner's cause may require.

  
\_\_\_\_\_  
Joseph N. Schaller, Esquire  
Whiteford, Taylor & Preston  
Seven Saint Paul Street  
Suite 1400  
Baltimore, Maryland 21202  
(410) 347-8700

**JOINDER**

FHK Properties Partnership and the Mayor and City Council of Baltimore join in the execution of this Petition, by and through their attorneys, S. Leonard Rottman and Adelberg, Rudow, Dorf, Hendler & Sameth, and Michael J. Doxzen, Assistant City Solicitor, to evidence their consent to the relief sought herein.

  
\_\_\_\_\_  
S. Leonard Rottman, Esquire  
Adelberg, Rudow, Dorf, Hendler & Sameth  
600 Mercantile Bank & Trust Building  
Two Hopkins Plaza  
Baltimore, Maryland 21201

  
\_\_\_\_\_  
Michael J. Doxzen  
Assistant Solicitor  
Department of Law  
143 City Hall  
100 North Holliday Street  
Baltimore, Maryland 21202

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 27<sup>th</sup> day of February, 1995, a copy of the foregoing Petition and proposed Order was mailed to:

Allen L. Schulman, Esquire  
The City of Baltimore  
Department of Law  
151 City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

FHK Properties Partnership  
c/o S. Leonard Rottman, Esquire  
Adelberg, Rudow, Dorf, Hendler & Sameth  
600 Mercantile Building  
Two Hopkins Plaza  
Baltimore, Maryland 21201

Michael J. Doxzen  
Assistant Solicitor  
Department of Law  
143 City Hall  
100 North Holliday Street  
Baltimore, Maryland 21202

  
\_\_\_\_\_  
Joseph N. Schaller, Esquire

122876

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

Plaintiff

v.

FHK PROPERTIES PARTNERSHIP,  
et al

Defendants

: IN THE  
: CIRCUIT COURT

: FOR  
: BALTIMORE CITY

: AT LAW

: Case No. 93307037/CL172121

*fd 1/23/96*

*(20)*  
*5*

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ORDER

UPON the foregoing Petition, Amendment and Affidavits, it is  
this 22nd day of January, 1996, by the Circuit Court for  
Baltimore City, it is

ORDERED, that the Legal Description marked as Exhibit A and  
the Plat marked Exhibit B be substituted for the description set  
forth in the Inquisition of January 30, 1995.

JUDGE 

*RK*

FHK PROPERTIES PARTNERSHIP  
NO.1465 KEY HIGHWAY  
24-9-2014-A PORTION OF LOT 8  
PLAT 111-D-16C

---

Beginning for the same at the point formed by the intersection of the southeast side of Key Highway, as now laid out varying in width, and the southwest side of Key Highway East, as now laid out 66 feet wide, said point of beginning also being the beginning of the fifth line of the first parcel of land conveyed by Fabian H. Kolker to FHK Properties Partnership by deed dated November 10, 1987 and recorded among the Land Records of Baltimore City in Liber S.E.B. No.1554, Folio 195, and running thence binding on the southwest side of said Key Highway East and on part of the fifth line of the first parcel of land described in said deed, South 65°-44'-30" East 42.13 feet to intersect the southeast side of Key Highway, as realigned and widened on the southeast side thereof, varying in width; thence binding on the southeast side of last said Key Highway, varying in width, by a line curving to the left with a radius of 30.56 feet the distance of 73.00 feet which arc is subtended by a chord bearing South 45°-49'-15" West 56.84 feet to intersect the northeast side of Key Highway, as now laid out 80 feet wide; thence binding on the northeast side of last said Key Highway and the southeast side of Key Highway, mentioned firstly herein, and on part of the third line and on the fourth line of the first parcel of land described in said deed, the two following courses and distances; namely, by a line curving to the left with a radius of 440.00 feet the distance of 40.08 feet which arc is subtended by a chord bearing North 25°-13'-35" West 40.07 feet and by a line curving to the right with a radius of 15.00 feet the distance of 37.20 feet which arc is subtended by a chord bearing North 43°-12'--40" East 28.37 feet to the place of beginning.

Containing 1,277.52 square feet or 0.0293 acre of land, more or less.

All courses and distances in the above description are referred to the true meridian as adopted by the Baltimore Survey Control System.

FILE REF. 11-D-16

24-9  
2014-A

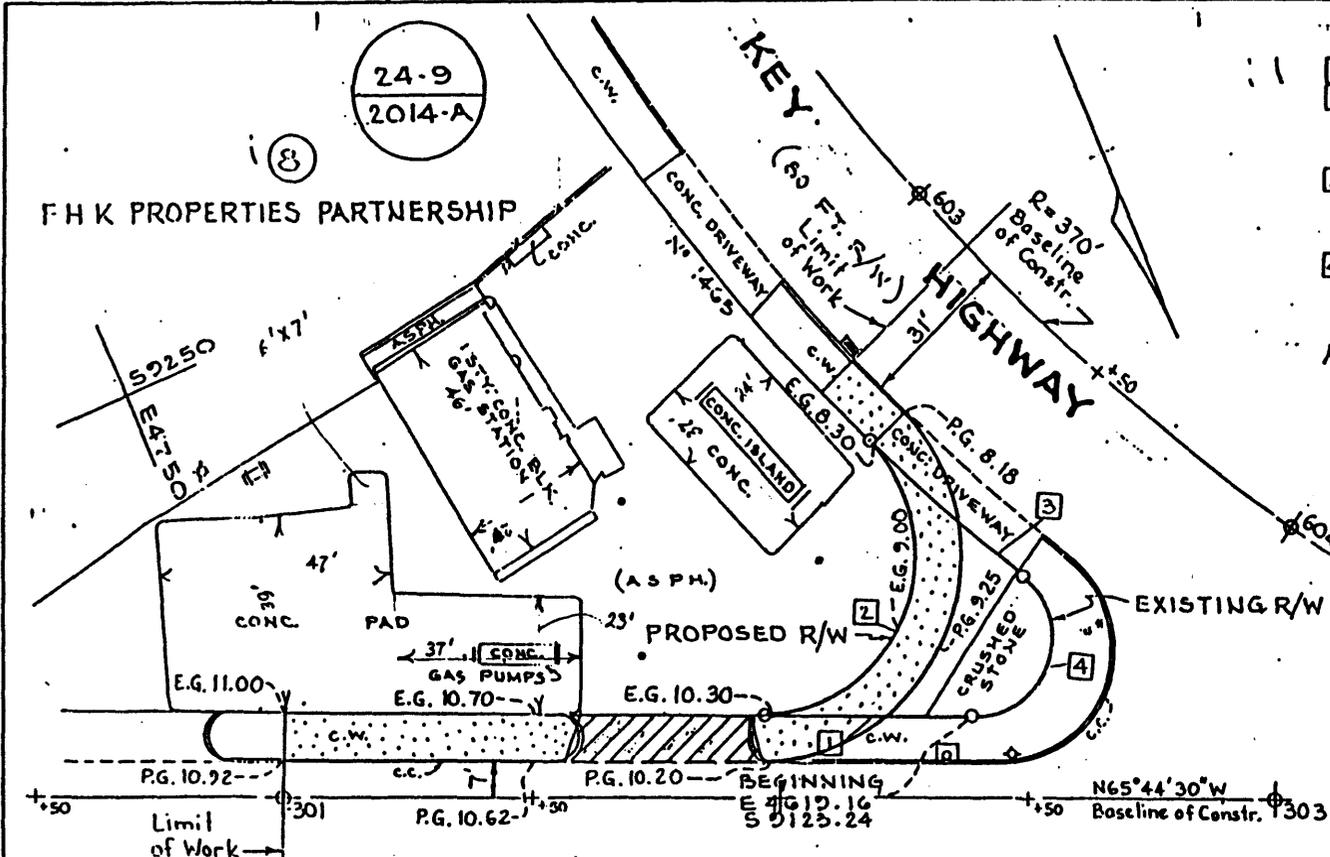
8

F H K PROPERTIES PARTNERSHIP

COURSES AND DISTANCES

- 1 S 65° 44' 30" E 42.13'
- 2 R=30.56' L=73.00'  
CH=S 45° 49' 15" W 56.84'  
Δ=136° 52' 30"
- 3 R=440.00' L=40.08'  
CH=N 25° 13' 35" W 40.07'  
Δ=05° 13' 10"
- 4 R=15.00' L=37.20'  
CH=N 43° 12' 40" E 28.37'  
Δ=142° 05' 40"

AREA=1277.52 SQ. FT. OR 0.0293 A ±



NOTE  
ALL COURSES AND COORDINATES SHOWN HEREON ARE REFERRED TO THE TRUE MERIDIAN AS ADOPTED BY THE BALTIMORE SURVEY CONTROL SYSTEM.

KEY (66 FT. R/W) HIGHWAY EAST

- LEGEND
- \* MAXIMUM SLOPE EASEMENT EXTENT.
  - MAXIMUM DEPTH OF 0.0'
  - P. G. - PROPOSED CURB GRADE ELEVATION.
  - E. G. - EXISTING GROUND ELEVATION.
  - NEW CEM. CONC. DRIVEWAY APRON
  - NEW CEM. CONC. FOOTWAY

*William L. Matthews*  
ACT. CHIEF, SURVEY CONTROL SECTION

*Fredrick Mann*  
ACT. CHIEF, HIGHWAYS DIVISION

*Dave L. Montgomery*  
ACT. HEAD, BUR. OF TRANSPORTATION.

*Gregory J. Long*  
DIRECTOR OF PUBLIC WORKS

CITY OF BALTIMORE  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF TRANSPORTATION

PLAT SHOWING A PARCEL OF LAND TO BE ACQUIRED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE FOR THE WIDENING OF KEY HIGHWAY.

SCALE: 1"=30' DATE NOV. 13, 1992  
SURVEY CONTROL SECTION SHEET 1 OF 1

W.O.#Z10859  
COMPUTED BY: WM. M. BROOKS, JR.  
DRAWN BY: WM. M. BROOKS, JR., R.T.C.  
EXAM. DRAFT

*fd 1/23/96*  
*(19)*  
*[Signature]*

MAYOR AND CITY COUNCIL OF BALTIMORE, a municipal corporation  
 Plaintiff  
 v.  
 FHK PROPERTIES PARTNERSHIP,  
 AMOCO CORPORATION  
 Defendants

: IN THE  
 : CIRCUIT COURT  
 : FOR  
 : BALTIMORE CITY  
 : AT LAW  
 :  
 : Case No. 93307037/CL172121

AMENDMENT TO INQUISITION

Mayor and City Council of Baltimore, a municipal corporation, by its attorney, Michael J. Doxzen, Assistant Solicitor, amends its Inquisition for the following reasons:

1. That on or about January 13, 1994, the City filed Amended Petitions for Condemnation and for Immediate Possession and Title to acquire the fee simple part take interest in 1465 Key Highway, Baltimore, Maryland ("Subject Property"). Subsequently, this Honorable Court ordered that the Clerk of the Court deposit the total sum of \$210,535.00, tendered by the Mayor and City Council of Baltimore in the Registry of this Court subject to further Order; and it

Further Ordered, that the Mayor and City Council of Baltimore be vested with possession of the fee simple part take interest in that property known as 1465 Key Highway more particularly described in the Petition for Condemnation filed herein, together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereupon belonging or appertaining as of the 13th day of January, 1993, and it

Further Ordered, that title to said interest shall vest in the Mayor and City Council of Baltimore ten (10) days after personal service of the foregoing Petition for Immediate Possession and this Order upon all defendants herein who have an interest in said estate, provided that none of the defendants file an answer to the City's Petition within said ten (10) day period alleging that the City does not have the right or power to condemn title to the property described in these proceedings.

And the vesting of such possession or title and possession in the Mayor and City Council of Baltimore shall in no wise act as a bar to trial of this matter to determine the fair value of the interest herein condemned in accordance with the provisions of law applicable thereto.

3. That on January 30, 1994, an inquisition was made and taken at the Bar in the Circuit Court for Baltimore City, in the matter of the Petition of the Mayor and City Council of Baltimore v. FHK Properties, et al, in a condemnation of a portion of a fee simple property known as 1465 Key Highway and that due to a clerical error the legal description of the portion of the property was incorrectly stated in that the entire property was described as per the deed rather than the fee simple part take interest.

WHEREFORE your Petitioner prays that this Honorable Court pass an Order replacing the incorrect description with the correct description attached herewith and marked as Exhibit A.

AND AS IN DUTY BOUND, etc.

*Michael J. Doxden*

---

Michael J. Doxden  
Assistant Solicitor  
Department of Law  
143 City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Attorney for Mayor and City  
Council of Baltimore

CERTIFICATION OF MAILING

I HEREBY CERTIFY, That on this 18<sup>th</sup> day of January,  
1996, a copy of the foregoing Amendment to Inquisition was mailed  
first class, postage prepaid to:

FHK PROPERTIES PARTNERSHIP  
c/o S. Leonard Rothman, Esquire  
✓ Adelberg, Rudow, Dorf, Hendler and Sameth  
600 Mercantile Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

AMOCO CORPORATION  
✓ c/o Timothy O'Brien, Esquire  
200 E. Randolph Road - M/C 1405B  
Chicago, Illinois 60601

Joseph Shaller, Esquire  
✓ Whiteford, Taylor & Preston  
7 St. Paul Street - Suite 1400  
Baltimore, Maryland 21202

  
\_\_\_\_\_  
Michael J. Doxzen  
Assistant Solicitor





ING JUDGE ..... *Burns* .....

COURTROOM CLERK ..... *Walker* .....

STENOGRAPHER .....

ASSIGNMENT FOR MONDAY JANUARY 30, 1995

CASE NUMBER - 93307037  
CASE TITLE - MAYOR AND CITY COUNCIL VS FHK ET AL CL172121 CL  
CATEGORY - CONDEMNATIONS  
PROCEEDING - TRIAL

SCHALLER, JOSEPH N	DEFENSE ATTORNEY	347-8700
SAMETH, PAUL	DEFENSE ATTORNEY	539-5195
CCXZEN, MICHAEL	PLAINTIFF ATTORNEY	396-3933
THOMPSON, OTHO	PLAINTIFF ATTORNEY	396-3167

*Judgment on inquiry in favor of the TT in the amount of \$210,539.00 and costs.*

TYPE OF PROCEEDING: (\_\_\_ JURY) ( NON-JURY) (\_\_\_ OTHER)

DISPOSITION (CHECK ONE)

- (\_\_\_ SETTLED) (\_\_\_ CANNOT SETTLE) (\_\_\_ NEXT COURT DATE)
- (\_\_\_ VERDICT) (\_\_\_ REMANDED) (\_\_\_ NON PROS/DISMISSED)
- (\_\_\_ JUDGEMENT NISI) ( <sup>INQUIRY</sup> ORDER/DECREE SIGNED) (\_\_\_ OTHER)
- (\_\_\_ JUDGEMENT ABSOLUTE) (\_\_\_ ORDER/DECREE TO BE SIGNED) PLEASE EXPLAIN:
- (\_\_\_ POSTPONED) (\_\_\_ MOTION GRANTED)
- (\_\_\_ SUB CURIA) (\_\_\_ MOTION DENIED)

JUDGE SIGNATURE *[Signature]* DATE *1/30/95*

14  
J.M.

MAYOR AND CITY COUNCIL OF BALTIMORE, a municipal corporation  
Plaintiff  
v.  
FHK PROPERTIES PARTNERSHIP, et al  
Defendants

: IN THE  
: CIRCUIT COURT  
: FOR  
: BALTIMORE CITY  
: AT LAW  
: Case No. 93307037/CL172121

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**ORDER**

UPON the foregoing Petition, Amendment and Affidavits, it is this 23rd day of January, 1995, by the Circuit Court for Baltimore City, it is

ORDERED, that the Clerk of the Court deposit the sum of \$151,139.00, tendered by the Mayor and City Council of Baltimore in the Registry of this Court subject to further Order. The additional sum of \$151,139.00 is to be added to the initial sum of \$59,400.00 tendered on November 3, 1993, by the Mayor and City Council. The total of \$210,539.00 represents the fair market value as determined by appraisers for the Mayor and City Council, and it is

FURTHERED ACKNOWLEDGED, that the Mayor and City Council of Baltimore has been previously vested with possession and title of the fee simple interest in that property known as 1465 Key Highway more particularly described in the Petition for Condemnation filed herein, together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereupon belonging or appertaining as of the 13th day of

January, 1994.

And the vesting of such possession or title and possession in the Mayor and City Council of Baltimore shall in no wise act as a bar to trial of this matter to determine the fair value of the interest herein condemned in accordance with the provisions of law applicable thereto.

JUDGE 

JUDGE JOSEPH H. H. KAPLAN

RECEIVED  
CIRCUIT COURT FOR  
BALTIMORE CITY

13  
J.M.

MAYOR AND CITY COUNCIL OF BALTIMORE, a municipal corporation  
IN THE  
CIVIL DIVISION  
CIRCUIT COURT

Plaintiff : FOR  
v. : BALTIMORE CITY  
FHK PROPERTIES PARTNERSHIP, : AT LAW  
et al  
Defendants : Case No. 93307037/CL172121

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**AMENDMENT TO PETITIONS FOR CONDEMNATION  
AND FOR IMMEDIATE POSSESSION AND TITLE**

Mayor and City Council of Baltimore, a municipal corporation, by its attorney, Michael J. Doxzen, Assistant Solicitor, pursuant to Rule 2-341, Maryland Rules of Procedure, herewith amend its Petitions for Condemnation and for Immediate Possession and Title for the following reasons:

1. That on November 3, 1993, the City filed Petitions for Condemnation and for Immediate Possession and Title as against the Perpetual Drainage Easement interest in 1465 Key Highway, Baltimore, Maryland ("Subject Property").

2. That on or about January 13, 1993, the City filed Amended Petitions for Condemnation and for Immediate Possession and Title to acquire the fee simple interest in 1465 Key Highway, Baltimore, Maryland ("Subject Property"). Subsequently, this Honorable Court ordered that the Clerk of the Court deposit the sum of \$59,400.00, tendered by the Mayor and City Council of Baltimore in the Registry of this Court subject to further Order; and it

Further Ordered, that the Mayor and City Council of Baltimore be vested with possession of the fee simple interest in that

property known as 1465 Key Highway more particularly described in the Petition for Condemnation filed herein, together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereupon belonging or appertaining as of the 13th day of January, 1993, and it

Further Ordered, that title to said interest shall vest in the Mayor and City Council of Baltimore ten (10) days after personal service of the foregoing Petition for Immediate Possession and this Order upon all defendants herein who have an interest in said estate, provided that none of the defendants file an answer to the City's Petition within said ten (10) day period alleging that the City does not have the right or power to condemn title to the property described in these proceedings.

And the vesting of such possession or title and possession in the Mayor and City Council of Baltimore shall in no wise act as a bar to trial of this matter to determine the fair value of the interest herein condemned in accordance with the provisions of law applicable thereto.

3. That Defendant Amoco Corporation had not submitted details of the impact of the widening of Key Highway on the subject property and its improvements, although the Mayor and City Council through the Interstate Division (hereafter referred to as the "City") had requested such information. As the City required title and possession of the subject part-take to commence and complete the project according to contractual obligations, this condemnation proceeding was filed on November 3, 1993.

Subsequent to the initial filing of this matter, Defendant

Amoco Corporation did submit the requested information. Upon further consultation with its appraisers, John V. McDonough and Water A. Reiter, Jr., the "City" now estimates the damage to the subject property to be \$210,539.00. The "City" now tenders to the Clerk of the Court the additional sum of \$151,139.00 for deposit in the Register of this Court subject to distribution among the parties as this Court further orders, and their interests may appear.

---

Michael J. Doxzen  
Assistant Solicitor  
Department of Law  
143 City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Attorney for Mayor and City  
Council of Baltimore

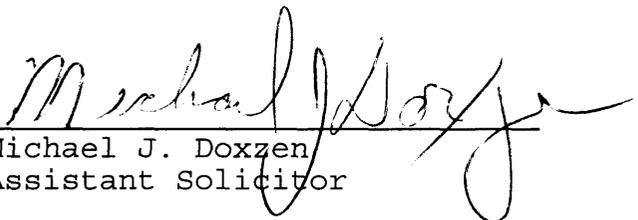
CERTIFICATION OF MAILING

I HEREBY CERTIFY, That on this 19 day of January,  
1995, a copy of the foregoing Amendment to Petitions for  
Condemnation and for Immediate Possession and Title was mailed  
first class, postage prepaid to:

FHK PROPERTIES PARTNERSHIP  
c/o S. Leonard Rothman, Esquire  
Adelberg, Rudow, Dorf, Hendler and Sameth  
600 Mercantile Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

AMOCO CORPORATION  
c/o Timothy O'Brien, Esquire  
200 E. Randolph Road - M/C 1405B  
Chicago, Illinois 60601

Joseph Shaller, Esquire  
Whiteford, Taylor & Preston  
7 St. Paul Street - Suite 1400  
Baltimore, Maryland 21202

  
Michael J. Doxzen  
Assistant Solicitor

SP

PRESIDING JUDGE .....

COURTROOM CLERK .....

STENOGRAPHER .....

*OKlan*  
*12/28/94*

ASSIGNMENT FOR WEDNESDAY DECEMBER 28, 1994

P32

CASE NUMBER - 93307037

CASE TITLE - MAYOR AND CITY COUNCIL VS FHK ET AL CL172121

CL

CATEGORY - CONDEMNATIONS

PROCEEDING - PRE-TRIAL CONFERENCE

SCHALLER, JOSEPH N  
SAMETH, PAUL  
DOXZEN, MICHAEL ✓  
THOMPSON, OTHO

DEFENSE ATTORNEY 347-8700  
DEFENSE ATTORNEY 539-5195  
PLAINTIFF ATTORNEY 396-3933  
PLAINTIFF ATTORNEY 396-3167

*Settled (atty. Doxzen)*

TYPE OF PROCEEDING: (\_\_\_ JURY) (\_\_\_ NON-JURY) (\_\_\_ OTHER)

DISPOSITION (CHECK ONE)

- (\_\_\_ SETTLED) (\_\_\_ CANNOT SETTLE) (\_\_\_ NEXT COURT DATE)
- (\_\_\_ VERDICT) (\_\_\_ REMANDED) (\_\_\_ NON PROS/DISMISSED)
- (\_\_\_ JUDGEMENT NISI) (\_\_\_ ORDER/DECREE SIGNED) (\_\_\_ OTHER)
- (\_\_\_ JUDGEMENT ABSOLUTE) (\_\_\_ ORDER/DECREE TO BE SIGNED) PLEASE EXPLAIN:
- (\_\_\_ POSTPONED) (\_\_\_ MOTION GRANTED)
- (\_\_\_ SUB CURIA) (\_\_\_ MOTION DENIED)

JUDGE SIGNATURE

*OKlan*

DATE

*12/28/94*

26

.....

12

10/11/11

10/11/11

10/11/11

10/11/11

PRESIDING JUDGE .....

COURTROOM CLERK .....

STENOGRAPHER .....

*[Handwritten signature]*

ASSIGNMENT FOR WEDNESDAY DECEMBER 28, 1994 C P32

CASE NUMBER - 93307037  
CASE TITLE - MAYOR AND CITY COUNCIL VS FRK ET AL CL172121 CL  
CATEGORY - CONDEMNATIONS  
PROCEEDING - PRE-TRIAL CONFERENCE

SCHALLER, JOSEPH N	DEFENSE ATTORNEY	347-8700
SAMETH, PAUL	DEFENSE ATTORNEY	539-5195
DOZEN, MICHAEL ✓	PLAINTIFF ATTORNEY	396-3933
THOMPSON, GTRC	PLAINTIFF ATTORNEY	396-3167

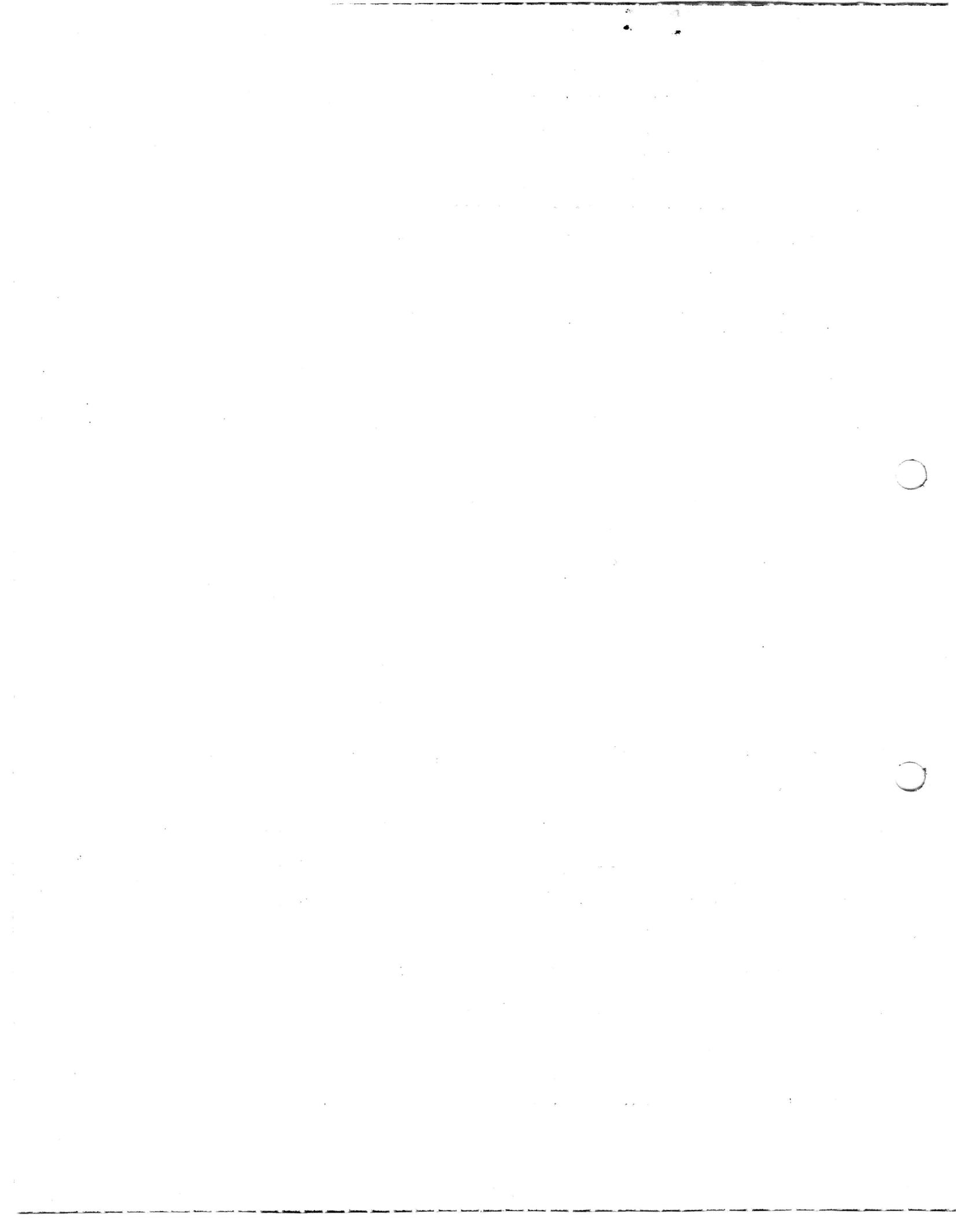
*[Large handwritten signature]*

TYPE OF PROCEEDING: (\_\_\_) JURY (\_\_\_) NON-JURY (\_\_\_) OTHER

DISPOSITION (CHECK ONE)

- (\_\_\_) SETTLED (\_\_\_) CANNOT SETTLE (\_\_\_) NEXT COURT DATE
- (\_\_\_) VERDICT (\_\_\_) REMANDED (\_\_\_) NON PROC/DISMISSED
- (\_\_\_) JUDGEMENT NISI (\_\_\_) ORDER/DECREE SIGNED (\_\_\_) OTHER
- (\_\_\_) JUDGEMENT ABSOLUTE (\_\_\_) ORDER/DECREE TO BE SIGNED PLEASE EXPLAIN:
- (\_\_\_) POSTPONED (\_\_\_) MOTION GRANTED
- (\_\_\_) SUB CURIA (\_\_\_) MOTION DENIED

JUDGE SIGNATURE \_\_\_\_\_ DATE 12/14/94



PRESIDING JUDGE .....

COURTROOM CLERK .....

STENOGRAPHER .....

*Handwritten notes and signatures in the top right corner.*

ASSIGNMENT FOR WEDNESDAY DECEMBER 28, 1994 ( P32

CASE NUMBER - 93307037  
CASE TITLE - MAYOR AND CITY COUNCIL VS PHK ET AL CL172121 CL  
CATEGORY - CONDEMNATIONS  
PROCEEDING - PRE-TRIAL CONFERENCE

SCHALLER, JOSEPH N	DEFENSE ATTORNEY	347-8700
SAMETH, PAUL	DEFENSE ATTORNEY	539-5195
DOXZEN, MICHAEL ✓	PLAINTIFF ATTORNEY	396-3933
THOMPSON, OTHO	PLAINTIFF ATTORNEY	396-3167

*Large handwritten signature or note in the center of the page.*

TYPE OF PROCEEDING: (\_\_\_) JURY (\_\_\_) NON-JURY (\_\_\_) OTHER

DISPOSITION (CHECK ONE)

- (\_\_\_) SETTLED (\_\_\_) CANNOT SETTLE (\_\_\_) NEXT COURT DATE
- (\_\_\_) VERDICT (\_\_\_) REMANDED (\_\_\_) NON PROS/DISMISSED
- (\_\_\_) JUDGEMENT NISI (\_\_\_) ORDER/DECREE SIGNED (\_\_\_) OTHER
- (\_\_\_) JUDGEMENT ABSOLUTE (\_\_\_) ORDER/DECREE TO BE SIGNED PLEASE EXPLAIN:
- (\_\_\_) POSTPONED (\_\_\_) MOTION GRANTED
- (\_\_\_) SUB CURIA (\_\_\_) MOTION DENIED

JUDGE SIGNATURE \_\_\_\_\_

DATE 12/15/94

RECEIVED

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

Plaintiff

v.

FHK PROPERTIES PARTNERSHIP,  
et al.

Defendants

\*\*\*\*\*

\*  
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IN THE  
CIRCUIT COURT  
FOR  
BALTIMORE CITY  
Case No.: 93307037/  
CL172121

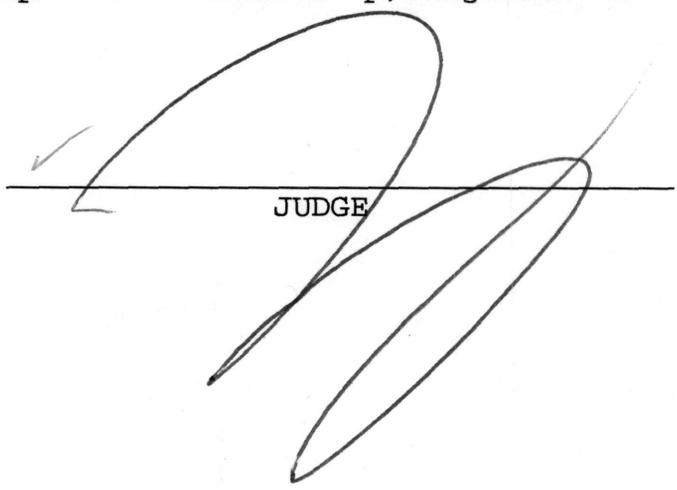
DEC 21 1994

CIRCUIT COURT  
FOR BALTIMORE CITY

ORDER

Upon the foregoing Petition to Withdraw Funds, it is this 21<sup>st</sup>  
\_\_ day of December, 1994, by the Circuit Court for  
Baltimore City,

ORDERED, that the Clerk of the Court be and is hereby directed  
to issue a check in the amount of Nine Thousand Five Hundred  
Eighty-Two Dollars (\$9,582.00), drawn on funds in the Registry of  
this Court, payable to FHK Properties Partnership, together with  
accrued interest, if any.

  
\_\_\_\_\_  
JUDGE

*36*

*11/21/94*

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

Plaintiff

vs.

FHK PROPERTIES PARTNERSHIP,  
ET AL

Defendants

IN THE  
CIRCUIT COURT  
FOR  
BALTIMORE CITY

RECEIVED

DEC 21 1994

CIRCUIT COURT  
FOR BALTIMORE CITY

CASE NO. 93307037/  
CL172121

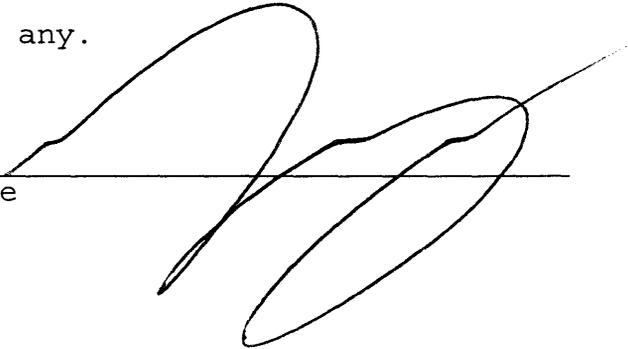
\* \* \* \* \*

ORDER

Upon the foregoing Petition to Withdraw funds, it is this  
21<sup>st</sup> day of December, 1994, by the Circuit Court  
for Baltimore City,

ORDERED, that the Clerk of the Court be and is hereby  
directed to issue a check in the amount of \$49,818.00, drawn on  
funds in the Registry of this Court, payable to AMOCO OIL COMPANY  
together with accrued interest, if any.

\_\_\_\_\_  
Judge



300  
12-21-94

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

Plaintiff

v.

FHK PROPERTIES PARTNERSHIP,  
et al.

Defendants

\*\*\*\*\*

IN THE  
CIRCUIT COURT  
FOR  
BALTIMORE CITY

Case No.: 93307037/  
CL172121

1994 NOV -9 A 9:27  
CIVIL DIVISION

PETITION TO WITHDRAW FUNDS

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of FHK PROPERTIES PARTNERSHIP, by its attorney,  
PAUL N. SAMETH and ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC,  
respectfully represents:

1. That the Mayor and City Council of Baltimore previously  
filed a Petition for Immediate Possession and Title against a  
portion of that lot of ground and premises situate and lying in  
Baltimore City, known as No. 1465 Key Highway (the "Property") and  
simultaneously therewith deposited the sum of Fifty-Nine Thousand  
Four Hundred Dollars (\$59,400.00) for the fee simple interest in a  
portion of the Property and the consequential damages to the  
remainder.

2. That by Order of this Honorable Court, the Mayor and City  
Council of Baltimore was granted possession of a portion of the  
Property as of November 3, 1993.

3. That the Petitioner owns the Property and is entitled to  
that portion of the deposited sum which represents damages to the  
fee simple Property. That this sum equals Nine Thousand Five

Hundred and Eighty-Two Dollars (\$9,582.00) and is a portion of the total compensation for these damages. Amoco Oil Company is entitled to the balance of the deposited sums, which represent an award for the leased portion taking.

WHEREFORE, your Petitioner prays that this Honorable Court pass an Order directing the Clerk of the Court to issue a check payable to FHK Properties Partnership, drawn upon funds deposited in the Registry of this Court in the amount of Nine Thousand Five Hundred and Eighty-Two Dollars (\$9,582.00).

AND for such other further relief as the nature of Petitioner's cause may require.



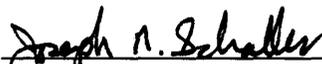
---

PAUL N. SAMETH  
Adelberg, Rudow, Dorf, Hendler  
& Sameth, LLC  
600 Mercantile Bank & Trust Bldg.  
2 Hopkins Plaza  
Baltimore, Maryland 21201  
(410) 539-5195

Attorney for Defendant

JOINDER

AMOCO OIL COMPANY joins in the execution of this Petition, by and through its attorneys, JOSEPH N. SCHALLER and WHITEFORD, TAYLOR & PRESTON, to evidence its consent to the relief sought herein.



---

JOSEPH N. SCHALLER  
Whiteford, Taylor & Preston  
Suite 1400  
Seven Saint Paul Street  
Baltimore, Maryland 21201

Attorney for Amoco Oil Company

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 7<sup>th</sup> day of November, 1994,  
a copy of the foregoing Petition and proposed Order was mailed to:

Allen L. Schulman, Esq.  
The City of Baltimore  
Department of Law  
151 City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Amoco Oil Company  
Joseph N. Schaller, Esq.  
Whiteford, Taylor & Preston  
Suite 1400  
Seven Saint Paul Street  
Baltimore, Maryland 21201

  
\_\_\_\_\_  
PAUL N. SAMETH  
Adelberg, Rudow, Dorf, Hendler  
& Sameth, LLC  
600 Mercantile Bank & Trust Bldg.  
2 Hopkins Plaza  
Baltimore, Maryland 21201  
(410) 539-5195

Attorney for Defendant

RECEIVED  
BALTIMORE CITY  
CIVIL DIVISION  
MAY 1993 - 7 P 12:28

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

Plaintiff

vs.

FHK PROPERTIES PARTNERSHIP,  
ET AL

Defendants

IN THE  
CIRCUIT COURT  
FOR  
BALTIMORE CITY

CASE NO. 93307037/  
CL172121

\* \* \* \* \*

PETITION TO WITHDRAW FUNDS

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Amoco Oil Company, by its attorney, Joseph N. Schaller and Whiteford, Taylor & Preston, respectfully represents:

1. That the Mayor and City Council of Baltimore previously filed a Petition for Immediate Possession and Title against a portion of that lot of ground and premises situate and lying in Baltimore City, known as No. 1465 Key Highway (the "Property") and simultaneously therewith deposited the sum of Fifty-Nine Thousand Four Hundred Dollars (\$59,400.00) for the fee simple interest in a portion of the Property and the consequential damages to the remainder.

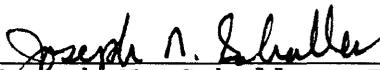
2. That by Order of this Honorable Court, the Mayor and City Council of Baltimore was granted possession of a portion of the Property as of November 3, 1993.

3. That the Petitioner leases the Property from FHK Properties Partnership and is entitled to that portion of the

deposited sum which represents damages to the remaining Property. That this sum equals Forty-Nine Thousand Eight Hundred and Eighteen Dollars (\$49,818.00) and is a portion of the total compensation for these damages. FHK Properties Partnership is entitled to the balance of the deposited sums, which represent an award for the fee simple taking.

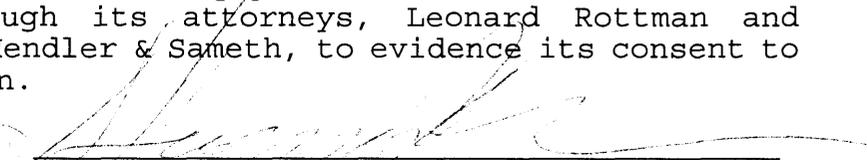
WHEREFORE, your Petitioner prays that this Honorable Court pass an Order directing the Clerk of the Court to issue a check payable to Amoco Oil Company, drawn upon funds deposited in the Registry of this Court in the amount of Forty-Nine Thousand Eight Hundred and Eighteen Dollars (\$49,818.00).

AND for such other further relief as the nature of Petitioner's cause may require.

  
\_\_\_\_\_  
Joseph N. Schaller, Esquire  
Whiteford, Taylor & Preston  
Seven Saint Paul Street  
Suite 1400  
Baltimore, Maryland 21202  
(410) 347-8700

**JOINDER**

FHK Properties Partnership joins in the execution of this Petition, by and through its attorneys, Leonard Rottman and Adelberg, Rudow, Dorf, Hendler & Sameth, to evidence its consent to the relief sought herein.

  
\_\_\_\_\_  
S. Leonard Rottman, Esquire  
Adelberg, Rudow, Dorf, Hendler & Sameth  
600 Mercantile Bank & Trust Building  
Two Hopkins Plaza  
Baltimore, Maryland 21201

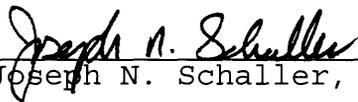
\\WTP1\0081181.01

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 7<sup>th</sup> day of November, 1994, a copy of the foregoing Petition and proposed Order was mailed to:

Allen L. Schulman, Esquire  
The City of Baltimore  
Department of Law  
151 City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

FHK Properties Partnership  
c/o S. Leonard Rottman, Esquire  
Adelberg, Rudow, Dorf, Hendler & Sameth  
600 Mercantile Building  
Two Hopkins Plaza  
Baltimore, Maryland 21201

  
\_\_\_\_\_  
Joseph N. Schaller, Esquire

\WTP1\0081183.01

MAYOR AND CITY COUNCIL VS FHK ET AL CL172121

THIS IS TO REMIND YOU THAT THE ABOVE CASE IN WHICH YOU APPEAR AS DEFENSE ATTORNEY IS SCHEDULED FOR PRE-TRIAL CONFERENCE AND FOR TRIAL ON THE DATES SET FORTH BELOW.

ALL COUNSEL, THEIR CLIENTS AND INSURANCE REPRESENTATIVES MUST ATTEND THE PRE-TRIAL CONFERENCE IN PERSON. FAILURE TO ATTEND WITHOUT PRIOR APPROVAL OF THE COURT CAN RESULT IN SANCTIONS.

JOSEPH H. H. KAPLAN  
ADMINISTRATIVE JUDGE

SCHALLER, JOSEPH N  
STE. 1400  
7 ST. PAUL ST.  
BALTIMORE MD 21202

PRE-TRIAL  
CONFERENCE:  
DATE: 12/28/94  
TIME: 11:00 AM  
PLACE: ROOM 232 PART P32  
COURTHOUSE EAST  
111 N. CALVERT STREET  
BALTIMORE, MD. 21202

TRIAL:  
DATE: 01/30/95  
TIME: 09:30 AM  
PLACE: ROOM 219 PART  
COURTHOUSE WEST  
100 N. CALVERT STREET  
BALTIMORE, MD. 21202

\*\*\*\*\* THIS NOTICE OF THE DATE, TIME, AND LOCATION OF EVENTS  
SUPERCEDES ALL PREVIOUS NOTICES. \*\*\*\*\*

MAYOR AND CITY COUNCIL VS FHK ET AL CL172121

THIS IS TO REMIND YOU THAT THE ABOVE CASE IN WHICH YOU APPEAR  
AS PLAINTIFF ATTORNEY IS SCHEDULED FOR PRE-TRIAL CONFERENCE AND FOR TRIAL  
ON THE DATES SET FORTH BELOW.

ALL COUNSEL, THEIR CLIENTS AND INSURANCE REPRESENTATIVES MUST ATTEND  
THE PRE-TRIAL CONFERENCE IN PERSON. FAILURE TO ATTEND WITHOUT PRIOR APPROVAL  
OF THE COURT CAN RESULT IN SANCTIONS.

JOSEPH H. H. KAPLAN  
ADMINISTRATIVE JUDGE

DOXZEN, MICHAEL  
ROOM 143  
100 N. HOLLIDAY STREET  
BALTIMORE MD 21202

PRE-TRIAL  
CONFERENCE:  
DATE: 12/28/94  
TIME: 11:00 AM  
PLACE: ROOM 232 PART P32  
COURTHOUSE EAST  
111 N. CALVERT STREET  
BALTIMORE, MD. 21202

TRIAL:  
DATE: 01/30/95  
TIME: 09:30 AM  
PLACE: ROOM 219 PART  
COURTHOUSE WEST  
100 N. CALVERT STREET  
BALTIMORE, MD. 21202

\*\*\*\*\* THIS NOTICE OF THE DATE, TIME, AND LOCATION OF EVENTS  
SUPERCEDES ALL PREVIOUS NOTICES. \*\*\*\*\*

MAYOR AND CITY COUNCIL VS FHK ET AL CL172121

THIS IS TO REMIND YOU THAT THE ABOVE CASE IN WHICH YOU APPEAR AS DEFENSE ATTORNEY IS SCHEDULED FOR PRE-TRIAL CONFERENCE AND FOR TRIAL ON THE DATES SET FORTH BELOW.

ALL COUNSEL, THEIR CLIENTS AND INSURANCE REPRESENTATIVES MUST ATTEND THE PRE-TRIAL CONFERENCE IN PERSON. FAILURE TO ATTEND WITHOUT PRIOR APPROVAL OF THE COURT CAN RESULT IN SANCTIONS.

JOSEPH H. H. KAPLAN  
ADMINISTRATIVE JUDGE

SAMETH, PAUL  
2 HOPKINS PLAZA  
600 MERCANTILE BANK & TRUST  
BALTIMORE MD 21201

PRE-TRIAL  
CONFERENCE:  
DATE: 12/28/94  
TIME: 11:00 AM  
PLACE: ROOM 232 PART P32  
COURTHOUSE EAST  
111 N. CALVERT STREET  
BALTIMORE, MD. 21202

TRIAL:  
DATE: 01/30/95  
TIME: 09:30 AM  
PLACE: ROOM 219 PART  
COURTHOUSE WEST  
100 N. CALVERT STREET  
BALTIMORE, MD. 21202

\*\*\*\*\* THIS NOTICE OF THE DATE, TIME, AND LOCATION OF EVENTS  
SUPERCEDES ALL PREVIOUS NOTICES. \*\*\*\*\*

DATE PRINTED  
10/25/94

MAYOR AND CITY COUNCIL VS FHK ET AL CL172121

THIS IS TO REMIND YOU THAT THE ABOVE CASE IN WHICH YOU APPEAR  
AS PLAINTIFF ATTORNEY IS SCHEDULED FOR PRE-TRIAL CONFERENCE AND FOR TRIAL  
ON THE DATES SET FORTH BELOW.

ALL COUNSEL, THEIR CLIENTS AND INSURANCE REPRESENTATIVES MUST ATTEND  
THE PRE-TRIAL CONFERENCE IN PERSON. FAILURE TO ATTEND WITHOUT PRIOR APPROVAL  
OF THE COURT CAN RESULT IN SANCTIONS.

JOSEPH H. H. KAPLAN  
ADMINISTRATIVE JUDGE

THOMPSON, OTHO  
100 N. HOLIDAY ST.  
BALTIMORE MD 21202

PRE-TRIAL  
CONFERENCE:

DATE: 12/28/94  
TIME: 11:00 AM  
PLACE: ROOM 232 PART P32  
COURTHOUSE EAST  
111 N. CALVERT STREET  
BALTIMORE, MD. 21202

TRIAL:

DATE: 01/30/95  
TIME: 09:30 AM  
PLACE: ROOM 219 PART  
COURTHOUSE WEST  
100 N. CALVERT STREET  
BALTIMORE, MD. 21202

\*\*\*\*\* THIS NOTICE OF THE DATE, TIME, AND LOCATION OF EVENTS  
SUPERCEDES ALL PREVIOUS NOTICES. \*\*\*\*\*

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

Plaintiff

vs.

FHK PROPERTIES PARTNERSHIP,  
ET AL

Defendants

: IN THE  
:  
: CIRCUIT COURT  
:  
: FOR  
:  
: BALTIMORE CITY  
:  
: AT LAW  
:  
: Case No. 93307037/CL172121

*S/19*

: : : : : : : : : : :

ORDER

Upon the foregoing Petitioner to Withdraw Funds, it is  
this 10<sup>th</sup> day of August, 1994, by the Circuit Court  
for Baltimore City,

ORDERED, that the Clerk of the Court be and she is  
hereby directed to issue a check in the amount of \$ 203.02 ,  
drawn on funds in the Registry of this Court, payable to  
MAYOR AND CITY COUNCIL OF BALTIMORE  
together with accrued interest, if any.

*[Handwritten Signature]*  
\_\_\_\_\_  
J U D G E

RICHARD F. KOMBRO  
JUDGE

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation

Plaintiff

vs.

FHK PROPERTIES PARTNERSHIP,  
ET AL

Defendants

3  
58  
: IN THE  
: CIRCUIT COURT  
: FOR  
: BALTIMORE CITY  
: AT LAW

: Case No. 93307037/CL172121

: : : : : : : : :

PETITION TO WITHDRAW FUNDS

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Mayor and City Council of Baltimore, by its attorney, Michael J. Doxzen, Assistant Solicitor, respectfully represents:

1. That previously hereto your Petitioner filed a Petition for Immediate Possession and Title against that lot of ground and premises situate and lying in Baltimore City, known as No. 1465 Key Highway and simultaneously therewith deposited the sum of \$ 59,400.00 for the fee simple interest in said property.

2. That by Order of this Honorable Court your Petitioner was granted possession of said property interest as of Noveber 3, 1993.

3. That on said date of possession certain municipal liens and charges were due and owing as is more particularly shown on copy of lien sheet and attached to the Petition for Immediate Possession and Title heretofore filed and prayed to be taken as a part hereof, and the amount due Petitioner on account thereof, as adjusted to November 3, 1993, the date possession was granted to the City, is:

RECEIVED  
CLERK OF COURT  
BALTIMORE, MARYLAND  
NOV 10 1993

ITEM

ADJUSTED AMOUNT DUE

Metered Water & Sewer Charges

\$ 53.17

Miscellaneous Bill No. 5167820

149.85

---

TOTAL

\$ 203.02

4. That copy of adjusted bills are attached hereto as petitioner's Exhibits "A and B".

WHEREFORE, Your Petitioner prays that this Honorable Court pass an Order directing the Clerk of the Court to issue a check payable to the Mayor and City Council of Baltimore, drawn upon funds deposited in the Registry of this Court in the amount of \$203.02 plus interest.

AND for such other and further relief as the nature of Petitioner's cause may require.

AND AS IN DUTY BOUND, etc.

  
\_\_\_\_\_  
MICHAEL J. DOXZEN  
Assistant Solicitor

Attorney for Mayor and City  
Council of Baltimore  
Room 143, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-3933

DEPARTMENT OF PUBLIC WORKS  
200 N. Holliday St.  
Baltimore, Maryland 21202

STATEMENT

TO: Michael J. Doxzen

DATE: 11/29/93

ACCOUNT # 08206658000

SERVICE SIZE: \_\_\_\_\_

METER SIZE: 1"

LOCATION OF PROPERTY 1465 Key Hwy.

On 11/3/93, a special water meter reading was requested. We read the meter on 11/3/93. There was a registration of 2,700 cu. ft. for the 48 day period from 9/16/93 to 11/3/93 amounting to \$ 21.55

( ) Minimum Rate	Service Charge	\$ _____
<input checked="" type="checkbox"/> Actual Registration	Sewer Charge	\$ <u>31.62</u>
( ) Special Rate	Other Charges	\$ _____
( ) Fixed Service Charge	Arrears	\$ _____
	TOTAL	\$ _____
	Credit	\$ _____
	TOTAL DUE	\$ <u>53.17</u>

REMARKS \_\_\_\_\_

Computed By: H. Emerson/mew  
Phone: 396- 5398

AUTHORIZED BY: *Sabine L. Miles*  
CHIEF, Utility Billing Division

Return this form with your check or money order made payable to the DIRECTOR OF FINANCE.

Mail to the following as indicated:

BUREAU OF COLLECTIONS - 200 N. Holliday St. Rm. 1 Abel Wolman Municipal Bldg.  
Baltimore, Maryland 21202

( ) UTILITY BILLING DIVISION - 200 N. Holliday St. Rm. 404 Abel Wolman Municipal  
Bldg., Baltimore, Maryland 21202

cc: **Terry Newman - Rm. 1 - front desk**  
**Nancy Bavato - Rm. 143 - City Hall**

**EXHIBIT "A"**

SLM/mew

Revised: 4/29/93



# CITY OF BALTIMORE

0258

BUREAU OF TREASURY MANAGEMENT - COLLECTION DIVISION  
200 N. HOLLIDAY ST. BALTIMORE, MD 21202  
HOURS: 8:30 A.M. TO 3:30 P.M., MONDAY - FRIDAY 396-3987  
MAKE CHECK PAYABLE TO: DIRECTOR OF FINANCE, BALTIMORE CITY

**MINOR PRIVILEGE  
DUPLICATE BILL**

INVOICE NO. 5167820  
BLOCK LOT 2014A 008  
DATE 11/30/93

FHK PROPERTIES PARTNERSHIP  
2601 W FRANKLIN ST  
BALTIMORE MD 21223

DESCRIPTION	AMOUNT
LOCATION: 1465 KEY HWY PERMIT NO: T091110 PERIOD: 01/01/94 TO: 12/31/94 RETAIN D F ELEC SIGN	135.00
THIS BILL DUE JANUARY 1 OF PERMIT YEAR	
THIS PERMIT IS GRANTED SUBJECT TO THE REGULATIONS AS FIXED IN THE SCHEDULE OF MINOR PRIVILEGE CHARGES NOW IN EFFECT, AND ON DISPLAY IN THE OFFICE OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MINOR PRIVILEGE SECTION, AND SUBJECT TO REVOCATION BY THE BOARD OF ESTIMATES AT ALL TIMES, AT ITS PLEASURE. BY SECTION 47 OF CHARTER AMENDMENT, ADOPTED NOVEMBER 1946 PERMITS FOR TEMPORARY MINOR PRIVILEGES ARE AUTOMATICALLY REVOKED WHEN CHARGE BECOMES PAST DUE. UNLESS THE OBSTRUCTION IS REMOVED IMMEDIATELY UPON NOTICE, THE MAYOR AND CITY COUNCIL ARE AUTHORIZED TO REMOVE SAME AND THE CHARGES FOR BOTH PRIVILEGE AND THE REMOVAL BECOME LIENS AGAINST THE PROPERTY.	
NOTICE: PENALTY OF 10% AND INTEREST OF 1% PER MONTH OR FRACTION THEREOF WILL BE CHARGED IF NOT PAID ON OR BEFORE MARCH 31 OF THE PERMIT YEAR	
NOTE: ADJUSTMENT, ABATEMENT AND CANCELLATION OF MINOR PRIVILEGE CHARGES WILL BE MADE ONLY FROM THE DATE OF WRITTEN REQUEST.	
TOTAL	135.00

**QUICK-TAKE NOV 03 1993**

CITY OF BALTIMORE  
BUREAU OF TREASURY MANAGEMENT - COLLECTION DIVISION  
200 N. HOLLIDAY ST. BALTIMORE, MD 21202

INVOICE NO. 5167820  
BLOCK LOT 2014A 008  
DATE 11/30/93

**PLEASE RETURN THIS  
PART WITH YOUR PAYMENT**

IF PAID BY  
04/01/94 135.00  
05/01/94 149.85

FHK PROPERTIES PARTNERSHIP  
2601 W FRANKLIN ST  
BALTIMORE MD 21223

**EXHIBIT "B"**

MAKE CHECK PAYABLE TO DIRECTOR OF FINANCE, BALTIMORE CITY.  
WRITE THE INVOICE NUMBER ON YOUR CHECK TO INSURE PROPER CREDIT.  
PAYMENT DUE UPON RECEIPT.

**QUICK-TAKE NOV 03 1993**

CERTIFICATION OF MAILING

I HEREBY CERTIFY, That on this 11<sup>th</sup> day of July,  
19 94, a copy of the foregoing Petitioner and proposed Order was  
mailed to:

FHK PROPERTIES PARTNERSHIP  
c/o S. Leonard Rothman, Esquire  
Adelberg, Rudow, Dorf, Hendler & Sameth  
600 Mercantile Building  
2 Hopkins Plaza  
Baltimore, MD. 21201

AMOCO CORPORATION  
c/o Joseph N. Schaller, Esquire  
c/o Michael D. Oliver, Esquire  
Whiteford, Taylor & Preston  
7 St. Paul Street - Suite 1400  
Baltimore, MD. 21202-1626

AMOCO CORPORATION  
c/o Timothy O'Brien, Esquire  
200 E. Randolph Road - M/C 1405B  
Chicago, Ill. 60601

  
\_\_\_\_\_  
MICHAEL J. DOXZEN  
Assistant Solicitor

MAYOR AND CITY COUNCIL OF  
BALTIMORE

Plaintiff

vs.

FHK PROPERTIES PARTNERSHIP,  
et. al.

Defendants

\* IN THE  
\* CIRCUIT COURT  
\* FOR  
\* BALTIMORE CITY  
\* Case No. 93307037/  
\* CL172121

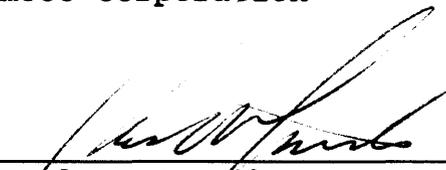
\* \* \* \* \*

NOTICE OF SERVICE OF DISCOVERY PAPERS

I HEREBY CERTIFY, that on this 28th day of February, 1994, a copy of FHK PROPERTIES PARTNERSHIP's Answers to Interrogatories was mailed, first class, postage prepaid, to:

Michael J. Doxzen, Esq.  
Assistant Solicitor  
143 City Hall  
Baltimore, Maryland 21202  
Attorney for Plaintiff

Joseph N. Schaller, Esq.  
Michael D. Oliver, Esq.  
Whiteford, Taylor & Preston  
7 St. Paul Street, Suite 1400  
Baltimore, Maryland 21202-1626  
Attorneys for Amoco Corporation

  
\_\_\_\_\_  
Paul N. Sameth  
Adelberg, Rudow, Dorf, Hendler  
& Sameth  
600 Mercantile Bank & Trust Bldg.  
2 Hopkins Plaza  
Baltimore, Maryland 21201  
(410) 539-5195

Attorneys for FHK Properties  
Partnership



\*\*\*\*\*

PRE-TRIAL CONFERENCE ORDER

\*\*\*\*\*

PURSUANT TO MD. RULE 2-504(A), IT IS THIS 28 DAY OF JANUARY , 1994, ORDERED:

1. (A) THAT ALL PARTIES SHALL APPEAR BEFORE THE COURT FOR A CONFERENCE BEFORE TRIAL ON DECEMBER 28, 1994.

(B) THE PARTIES SHALL PREPARE IN ADVANCE AND BRING TO THE CONFERENCE A PRETRIAL MEMORANDUM COVERING IN FULL EACH OF ITEMS (1) THROUGH (8) IN SEC (B) OF RULE 2-504. (ITEM (9) IN SEC (B) IS SUBSUMED IN PARAGRAPH 2 OF THIS ORDER.)

2. ALL DISCOVERY INCLUDING FULL RESOLUTION OF ALL DISCOVERY DISPUTES SHALL BE COMPLETED NO LATER THAN EIGHT MONTHS FROM THE DATE OF THIS ORDER.

3. ANY MOTION FOR SUMMARY JUDGMENT SHALL BE FILED NO LATER THAN NINE MONTHS FROM THE DATE OF THIS ORDER.

4. TRIAL OF THIS CASE SHALL BEGIN ON JANUARY 30, 1995.

5. THIS ORDER IS SUBJECT TO MODIFICATION, INCLUDING THE SCHEDULING OF THE PRETRIAL CONFERENCE AND TRIAL, UPON A WRITTEN MOTION FOR MODIFICATION FILED WITHIN 15 DAYS OF THE DATE OF THIS ORDER. THEREAFTER, THIS ORDER MAY BE MODIFIED ONLY UPON A WRITTEN MOTION FOR MODIFICATION SETTING FORTH A SHOWING OF GOOD CAUSE THAT THE SCHEDULE CANNOT REASONABLY BE MET DESPITE THE DILIGENCE OF THE PARTIES SEEKING MODIFICATION. IF EXIGENT CIRCUMSTANCES PREVENTS A MOTION IN WRITING, AN ORAL MOTION SHALL BE MADE AT A HEARING AT 1:45 P.M. ON A DAILY BASIS IN ROOM 434 OF THE CLARENCE M. MITCHELL, JR. COURTHOUSE. COUNSEL FOR ALL PARTIES AND ANY PRO SE PARTIES MUST ATTEND THESE HEARINGS. AN "EXIGENT CIRCUMSTANCE" MEANS AN UNFORESEEN DEVELOPMENT OCCURRING WITHIN 30 DAYS OF THE PRETRIAL CONFERENCE OR TRIAL DATE WHICH PREVENT COMPLIANCE WITH THIS ORDER.

JOSEPH H.H. KAPLAN  
ADMINISTRATIVE JUDGE

DOXZEN, MICHAEL  
ROOM 143  
100 N. HOLLIDAY STREET  
BALTIMORE , MD 21202

\*\*\*\*\*

PRE-TRIAL CONFERENCE ORDER

\*\*\*\*\*

PURSUANT TO MD. RULE 2-504(A), IT IS THIS 28 DAY  
OF JANUARY , 1994, ORDERED:

1. (A) THAT ALL PARTIES SHALL APPEAR BEFORE THE  
COURT FOR A CONFERENCE BEFORE TRIAL ON DECEMBER 28, 1994.

(B) THE PARTIES SHALL PREPARE IN ADVANCE AND  
BRING TO THE CONFERENCE A PRETRIAL MEMORANDUM COVERING  
IN FULL EACH OF ITEMS (1) THROUGH (8) IN SEC (B) OF RULE 2-504.  
(ITEM (9) IN SEC (B) IS SUBSUMED IN PARAGRAPH 2 OF THIS ORDER.)

2. ALL DISCOVERY INCLUDING FULL RESOLUTION OF ALL  
DISCOVERY DISPUTES SHALL BE COMPLETED NO LATER THAN EIGHT  
MONTHS FROM THE DATE OF THIS ORDER.

3. ANY MOTION FOR SUMMARY JUDGMENT SHALL BE FILED  
NO LATER THAN NINE MONTHS FROM THE DATE OF THIS ORDER.

4. TRIAL OF THIS CASE SHALL BEGIN ON JANUARY 30, 1995.

5. THIS ORDER IS SUBJECT TO MODIFICATION, INCLUDING THE  
SCHEDULING OF THE PRETRIAL CONFERENCE AND TRIAL, UPON A WRITTEN  
MOTION FOR MODIFICATION FILED WITHIN 15 DAYS OF THE DATE OF  
THIS ORDER. THEREAFTER, THIS ORDER MAY BE MODIFIED ONLY UPON A  
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CLARENCE M. MITCHELL, JR. COURTHOUSE.  
COUNSEL FOR ALL PARTIES AND ANY PRO SE PARTIES MUST ATTEND  
THESE HEARINGS. AN "EXIGENT CIRCUMSTANCE" MEANS AN UNFORESEEN  
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PRETRIAL CONFERENCE OR TRIAL DATE WHICH PREVENT COMPLIANCE WITH THIS ORDER.

JOSEPH H.H. KAPLAN  
ADMINISTRATIVE JUDGE

THOMPSON, OTHO  
101 CITY HALL  
100 N. HOLLIDAY STREET  
BALTIMORE , MD 21202

\*\*\*\*\*

PRE-TRIAL CONFERENCE ORDER

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PRETRIAL CONFERENCE OR TRIAL DATE WHICH PREVENT COMPLIANCE WITH THIS ORDER.

JOSEPH H.H. KAPLAN  
ADMINISTRATIVE JUDGE

SCHALLER, JOSEPH N  
STE. 1400  
7 ST. PAUL ST.  
BALTIMORE , MD 21202

\*\*\*\*\*

PRE-TRIAL CONFERENCE ORDER

\*\*\*\*\*

PURSUANT TO MD. RULE 2-504(A), IT IS THIS 28 DAY  
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CLARENCE M. MITCHELL, JR. COURTHOUSE.

COUNSEL FOR ALL PARTIES AND ANY PRO SE PARTIES MUST ATTEND  
THESE HEARINGS. AN "EXIGENT CIRCUMSTANCE" MEANS AN UNFORESEEN  
DEVELOPMENT OCCURRING WITHIN 30 DAYS OF THE  
PRETRIAL CONFERENCE OR TRIAL DATE WHICH PREVENT COMPLIANCE WITH THIS ORDER.

JOSEPH H.H. KAPLAN  
ADMINISTRATIVE JUDGE

\*FHK PROPERTIES PARTNERSHIP  
2 HIPKINS PLAZA - SUITE 600  
S/O S. LEONARD ROTHMAN, ESQ.  
BALTIMORE , MD 21201

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation  
City Hall  
Baltimore, Maryland 21202

Plaintiff

vs.

FHK PROPERTIES PARTNERSHIP, et al.

Defendants

\* \* \* \* \*

ANSWER TO PETITIONS FOR CONDEMNATION  
AND FOR IMMEDIATE POSSESSION AND TITLE  
OF FHK PROPERTIES PARTNERSHIP

FHK PROPERTIES PARTNERSHIP ("FHK"), by its undersigned  
counsel, answers the Plaintiff's Petitions for Condemnation and for  
Immediate Possession and Title, as follows:

FIRST DEFENSE

The Petitions fail to state a claim upon which relief can be  
granted.

SECOND DEFENSE

The Defendant, FHK, answers the respectively numbered  
paragraphs of the averments of the Petitions by way of general  
denial except FHK admits that the Plaintiff has been unable to make  
an agreement with it to purchase the property described in the  
Petitions, but denies the allegations in the Petition for Immediate  
Possession and Title that the Plaintiff has made a reasonable  
effort to do so and further denies that the amount tendered into  
Court is just compensation for the condemnation of FHK's property.

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IN THE CIRCUIT COURT FOR  
BALTIMORE CITY  
CIRCUIT COURT  
1994 FEB -7 A 8:32  
CIVIL DIVISION  
BALTIMORE CITY

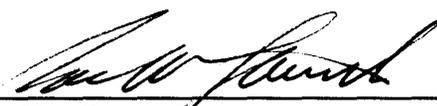
AT LAW

Case No. 93307037/  
CL172121

5

Respectively Submitted,

463211



Paul N. Sameth  
Adelberg, Rudow, Dorf, Hendler  
& Sameth  
600 Mercantile Bank & Trust Bldg.  
2 Hopkins Plaza  
Baltimore, Maryland 21201  
(410) 539-5195

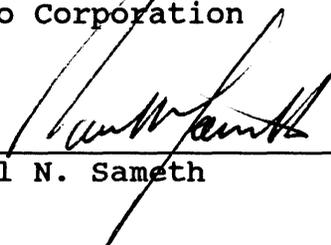
Attorneys for FHK Properties  
Partnership

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of February, 1994, a copy of the foregoing Answer to Petitions for Condemnation and for Immediate Possession and Title of FHK Properties Partnership was mailed, first class, postage prepaid, to:

Michael J. Doxzen, Esq.  
Assistant Solicitor  
143 City Hall  
Baltimore, Maryland 21202  
Attorney for Plaintiff

Joseph N. Schaller, Esq.  
Michael D. Oliver, Esq.  
Whiteford, Taylor & Preston  
7 St. Paul Street, Suite 1400  
Baltimore, Maryland 21202-1626  
Attorneys for Amoco Corporation



Paul N. Sameth

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CIRCUIT COURT FOR  
BALTIMORE CITY  
94 JAN 24 PM 3:02  
CIVIL DIVISION

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation  
City Hall  
Baltimore, Maryland 21202

Plaintiff

v.

FHK PROPERTIES PARTNERSHIP,

Defendants

\* \* \* \* \*

\* IN THE  
\* CIRCUIT COURT  
\* FOR  
\* BALTIMORE CITY  
\* AT LAW  
\* Case No. 93307037/  
\* CL 172121

**ANSWER TO PETITIONS FOR CONDEMNATION  
AND FOR IMMEDIATE POSSESSION AND TITLE  
OF AMOCO CORPORATION**

Amoco Corporation ("Amoco"), by undersigned counsel,  
files this Answer to Petitions for Condemnation and for Immediate  
Possession and Title, and states the following:

**FIRST DEFENSE**

The Petition fails to state a claim upon which relief can be  
granted.

**SECOND DEFENSE**

The Defendant, Amoco, answers the respectively numbered  
paragraphs of the averments of the Petition by way of general  
denial. Amoco admits that the Plaintiff has been unable to make  
an agreement with it to purchase the property described in the  
Petition, but denies the alleged fact that the Plaintiff has made  
a reasonable and bona fide effort to do so and further denies  
that the amount tendered into court is just compensation for  
Amoco's property.

Handwritten initials or mark.

Respectfully submitted,

  
Joseph N. Schaller  
Michael D. Oliver  
Whiteford, Taylor & Preston  
Seven Saint Paul Street  
Suite 1400  
Baltimore, MD 21202-1626  
(410) 347-8700

Attorneys for Amoco  
Corporation

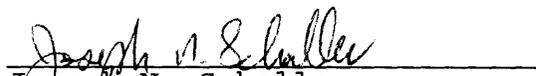
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24<sup>th</sup> day of January,  
1994, a copy of the foregoing Answer to Petitions for  
Condemnation and for Immediate Possession and Title of Amoco  
Corporation was mailed, by first class mail, postage prepaid, to:

FHK Properties Partnership  
c/o S. Leonard Rothman, Esq.  
Adelberg, Rudow, Dorf, Hendler & Sameth  
600 Mercantile Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

AMOCO Corporation  
c/o Timothy O'Brien, Esq.  
200 E. Randolph Road - M/C 1405B  
Chicago, Illinois 60601

Michael J. Doxzen, Esq.  
Assistant Solicitor  
143 City Hall  
Baltimore, Maryland 21202

  
Joseph N. Schaller

LAW OFFICES  
WHITEFORD, TAYLOR & PRESTON

500 COURT TOWERS  
210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4515  
TELEPHONE 410-832-2000  
FAX 410-832-2015

SUITE 1400  
SEVEN SAINT PAUL STREET  
BALTIMORE, MARYLAND 21202-1626  
410 347-8700  
TELEX: 5101012334  
FAX: 410 752-7092

SUITE 400  
888 17TH STREET, NW  
WASHINGTON, D.C. 20006-3939  
TELEPHONE 202-659-6800  
FAX 202-331-0573

JOSEPH N. SCHALLER

DIRECT NUMBER  
410-347-8749

1317 KING STREET  
ALEXANDRIA, VIRGINIA 22314-2928  
TELEPHONE 703-836-5742  
FAX 703-836-0265

January 24, 1994

Clerk  
Circuit Court for Baltimore City  
Courthouse East  
111 N. Calvert Street  
Baltimore, Maryland 21202

Re: Mayor and City Council of Baltimore  
v. FHK Properties Partnership  
Case No. 93307037/CL172121

Dear Sir/Madame Clerk:

Enclosed for filing is an Answer to Petitions for  
Condemnation and for Immediate Possession and Title of Amoco  
Corporation in the above-referenced case. Also enclosed is one  
additional copy to be date-stamped and returned to our messenger.

Should you have any questions or concerns, please do  
not hesitate to give me a call.

Very truly yours,

  
Joseph N. Schaller (aa)

JNS/aa  
Enclosures

cc: All Counsel

\\WTP1\0047530.01

Circuit Court for Baltimore City  
Saundra E. Banks, Clerk  
111 N. Calvert St. - Room 462  
Baltimore, Md. 21202

M

WRIT OF SUMMONS

Case Number 93307037/CL172121

STATE OF MARYLAND,

CITY OF BALTIMORE TO WIT:

TO: FHK Properties Partnership  
SERVE: S. Leonard Rothma, Esq.  
Adelberg, Rudow, Dor, Hendler & Sameth  
600 Mercantile Building, 2 Hopkins Plaza  
Baltimore, Maryland 21201

9 You are hereby summoned to file a written response by pleading or motion in this Court to the attached  
Complaint filed by Mayor and City Council of Baltimore City, a Municipal Corporation  
(Name & Address)  
100 N. Holliday Street, Baltimore, Maryland 21202

within 30 days after service of this summons upon you.

WITNESS the Honorable Chief Judge of the Eighth Judicial Circuit of Maryland

*Saundra E. Banks*  
Clerk  
Circuit Court for Balto. City



Date Issued 11/5/93

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE A RESPONSE WITHIN THE TIME ALLOWED MAY RESULT IN A JUDGMENT BY DEFAULT OR THE GRANTING OF THE RELIEF SOUGHT AGAINST YOU.

SHERIFF'S RETURN

Person Served	<u>S. S. Rothman</u>	Time	<u>11:52</u>	Date	<u>11-8-93</u>
Person Served	_____	Time	_____	Date	_____
Non Est (Reason)	_____				
Fee \$	_____	Sheriff	<u>John W. Anderson</u>		

NOTE:

1. This summons is effective for service only if served within 60 days after the date it is issued
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).



3

O R D E R

UPON the foregoing Petition and affidavits, it is this 3 day of November, 1993, by the Circuit Court for Baltimore City,

ORDERED, that the Clerk of the Court deposit the sum of \$59,400.00, tendered by the Mayor and City Council of Baltimore in the Registry of this Court subject to further Order; and it is

FURTHER ORDERED, that the Mayor and City Council of Baltimore be vested with possession of the Perpetual Drainage Easement interest(s) in that property known as 1465 Key Highway more particularly described in the Petition for Condemnation filed herein, together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereunto belonging or appertaining as of the 3 day of November, 1993 and it is

FURTHER ORDERED, that title to said interest(s) shall vest in the Mayor and City Council of Baltimore ten (10) days after personal service of the foregoing Petition for Immediate Possession and this Order upon all defendants herein who have an interest in said estate, provided that none of the defendants file an answer to the City's Petition within said ten (10) day period alleging that the City does not have the right or power to condemn title to the property described in these proceedings.

And the vesting of such possession or title and possession in the Mayor and City Council of Baltimore shall in no wise act as a bar to trial of this matter to determine the fair value of the interest(s) herein condemned in accordance with the provisions of law applicable thereto.

  
\_\_\_\_\_  
J U D G E

2

File No. 164248  
1465 Key Highway - Perpetual Drainage Easement Interest  
AS/nb

MAYOR AND CITY COUNCIL OF : IN THE  
BALTIMORE, a municipal :  
corporation : CIRCUIT COURT  
City Hall :  
Baltimore, Maryland 21202 : FOR  
Plaintiff : BALTIMORE CITY  
vs. : AT LAW  
FHK PROPERTIES PARTNERSHIP : Case No.  
ET AL :  
Defendants :

: : : : : : : : :

PETITION FOR IMMEDIATE POSSESSION AND TITLE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland, respectfully represents:

1. That previously hereto your Petitioner filed a Petition for Condemnation as against the Perpetual Drainage Easement Interest in that lot of ground and premises known as 1465 Key Highway.

2. That it is necessary for Petitioner to acquire immediate possession of and title to said property interest as appears from the affidavit of John M. Mellendick, Sr., Interstate Division for Baltimore City, attached hereto and prayed to be taken as a part hereof.

3. That the necessity for the taking of such immediate possession of and title to said property is not due to any substantial fault or neglect on the part of the Petitioner.

4. That Petitioner estimates the fair value of said property interest(s) to be \$ 59,400.00 as substantiated by the affidavits of two qualified real estate appraisers, namely:

John V. McDonogh and Walter A. Reiter, Jr.  
which are attached hereto and prayed to be taken as a part hereof, and a check in that amount is tendered herewith.

5. That a copy of a municipal lien sheet is attached hereto and prayed to be taken as a part hereof, showing a gross sum of \$ 59,400.00 to be due Petitioner by virtue of municipal liens and charges. Said items will be adjusted to the date that possession is granted to Petitioner.

6. That the sum of \$ 59,400.00 the estimated value of the property interest(s) subject to this Petition, should be paid to the defendants herein as their interests may appear.

Said payment, however, is subject to the claims of mortgagees, judgment creditors, lienholders, and tenants, if any, as set forth in the original Petition for Condemnation filed herein, as well as the claim of Petitioner on account of unpaid liens and charges as previously set forth herein, and the claims of all other persons who may have filed proper notice of the same in these proceedings.

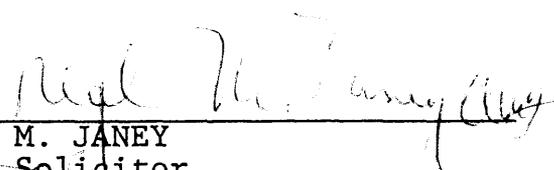
WHEREFORE, your Petitioner prays that this Honorable Court pass an Order:

1. Directing the Clerk of the Court to deposit the sum of \$ 59,400.00 , tendered by Petitioner, in the Registry of the Court subject to further Order;

2. Granting possession of and title to the Perpetual Drainage Easement of 1465 Key Highway to Petitioner as of a day and year certain, subject to the provisions of Article 4 of the Code of Public Local Laws of Baltimore City (1969 Edition), Subtitle 21-16 as amended by Chapter 420 of the Laws of Maryland approved May 26, 1972.

AND for such other and further relief as the nature of Petitioner's cause may require.

AND AS IN DUTY BOUND, etc.

  
NEAL M. JANEY  
City Solicitor

  
OTHO M. THOMPSON  
Deputy City Solicitor

  
MICHAEL J. DOXZEN  
Assistant Solicitor

101 City Hall  
Baltimore, Maryland 21202  
396-3933

Attorneys for Petitioner

I HEREBY CERTIFY that on this day of July 19, 1993, before me, the subscriber, a Notary Public of the State of Maryland, as aforesaid, personally appeared John M. Mellendick, Sr., Real Estate Agent III, Interstate Division for Baltimore City, who made oath in due form of law that it is necessary for the Mayor and City Council of Baltimore to have immediate possession and title to a fee simple interest in that lot of ground known as 1465 Key Highway, Block 2014A, Lot 8, in order to:

Construct that project known as Reconstruction of Key Highway - East of Lawrence Street to Covington Street.

Affiant further made oath that the necessity for immediate possession of the above property interests is not due to any substantial fault or neglect of the Mayor and City Council of Baltimore.

AS WITNESS my hand and Notarial Seal.

  
Notary Public Teresa A. Ruhl

My Commission expires:

5/23/94

  
John M. Mellendick, Sr.

STATE OF MARYLAND, CITY OF BALTIMORE, To Wit:

I HEREBY CERTIFY that on this 19th day of July, 1993, before me, the subscriber, a Notary Public of the State of Maryland, as aforesaid, personally appeared John M. Mellendick, Sr., Interstate Division for Baltimore City, who made oath in due form of law that the matters and facts set forth in the foregoing Petition for Immediate Possession and a Fee Simple Title are true to the best of his information, knowledge and belief.

AS WITNESS my hand and Notarial Seal.

  
Notary Public Teresa A. Ruhl

My Commission expires:

5/23/94

  
John M. Mellendick, Sr.

I HEREBY CERTIFY that on this 2nd day of July 1993, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, aforesaid, personally appeared John V. McDonough, who made oath in due form of law as follows:

1. That he is a qualified Real Estate Appraiser and has appraised that lot of ground in Baltimore City, State of Maryland, known as 1465 Key Highway, Block 2014A, Lot 8.

2. That in his opinion, the fair market value of the fee simple interest herein sought to be acquired is \$59,399.00.

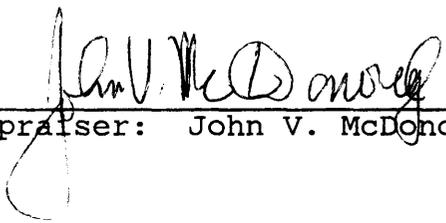
3. That he consents to the filing of this affidavit as part of any petition for Immediate Possession docketed by the Mayor and City Council of Baltimore, as against the owners of the above property.

AS WITNESS my hand and Notarial Seal.

  
\_\_\_\_\_  
Notary Public  
Anthony J. Albertini

My Commission expires:

Aug. 1, 1995

  
\_\_\_\_\_  
Appraiser: John V. McDonough

I HEREBY CERTIFY that on this 19th day of July 1993, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, aforesaid, personally appeared Walter A. Reiter, Jr., who made oath in due form of law as follows:

1. That he is a qualified Real Estate Appraiser and has appraised that lot of ground in Baltimore City, State of Maryland, known as 1465 Key Highway, Block 2014A, Lot 8.

2. That in his opinion, the fair market value of the fee simple interest herein sought to be acquired is \$59,100.00.

3. That he consents to the filing of this affidavit as part of any Petition for Immediate Possession docketed by the Mayor and City Council of Baltimore, as against the owners of the above property.

AS WITNESS my hand and Notarial Seal.

  
Notary Public Teresa A. Ruhl

My Commission expires:

5/23/94

  
Appraiser: Walter A. Reiter, Jr.



MAYOR AND CITY COUNCIL OF BALTIMORE
BUREAU OF TREASURY MANAGEMENT
COLLECTION DIVISION
LIENS SECTION
200 HOLLIDAY STREET
BALTIMORE, MARYLAND 21202

THIS CERTIFICATE VOID
AFTER 45 DAYS FROM
DATE OF ISSUE.

GG. 10-27-93

Application, now on file in this bureau, has been made for a search of the tax lien records for all charges constituting municipal liens upon the property known as

1465 Key Highway 24-9-2014A-8

This is to certify that a search, as per request, has been duly made by this Bureau, and yields the following outstanding municipal liens against the described property. The amounts shown are inclusive of interest and penalty to date of this Certificate.

Table with 3 columns: Description, Amount, and Currency. Includes items like 'State and City Real Property Taxes' and 'Metered Water and Sewer Charges'.

10. Violation Report (if requested):
11. Pertinent Information: In addition to the above enumerated charges which are liens upon the property, the following work orders or contracts have been issued which may result in additional liens

All of which is hereby affirmed and approved.

Handwritten signature and title 'Liens Section Supervisor'

THIS LIEN CERTIFICATE IS ISSUED PURSUANT TO ARTICLE VII, SECTION 10, OF THE BALTIMORE CITY CHARTER (1964 Revision) WHICH READS, IN PART, AS FOLLOWS:

"THE DEPARTMENT SHALL MAINTAIN AT ALL TIMES A BOOK OR BOOKS, TO BE KNOWN AS THE TAX LIEN RECORD, FOR THE PURPOSE OF RECORDING TAX LIENS AND ALL OTHER MUNICIPAL LIENS . . . AFTER A LIEN SHALL HAVE BEEN RECORDED IN THE TAX LIEN RECORD, IT SHALL REMAIN A LIEN UNTIL PAID . . ."

"THIS ENUMERATION OF CHARGES AND ASSESSMENTS SHALL NOT BE CONSTRUED AS EXCLUSIVE OF ALL OTHER CHARGES AND ASSESSMENTS NOT HEREIN ENUMERATED AND WHICH MAY HAVE BEEN OR MAY HEREAFTER BE AUTHORIZED AND IMPOSED, ALL OF WHICH SHALL BE LIENS FROM THE TIME OF THEIR IMPOSITION; PROVIDED, THAT NO THEN EXISTING CHARGE SHALL BE A LIEN AGAINST ANY PROPERTY AFTER THE ISSUANCE OF A LIEN CERTIFICATE RESPECTING SUCH PROPERTY UNLESS SUCH CHARGE BE SHOWN ON SUCH LIEN CERTIFICATE."

File No. 164248  
1465 Key Highway - Perpetual Drainage Easement Interest  
AS/nb

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CIRCUIT COURT FOR  
BALTIMORE CITY

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CIVIL DIVISION

MAYOR AND CITY COUNCIL OF  
BALTIMORE, a municipal  
corporation  
City Hall  
Baltimore, Maryland 21202

: IN THE  
CIRCUIT COURT

Plaintiff

: FOR

**93307037**

vs.

BALTIMORE CITY

*CL 177121*

FHK PROPERTIES PARTNERSHIP

Serve: S. Leonard Rothman, Esquire  
Adelberg, Rudow, Dorf; AT LAW  
Hendler & Sameth  
600 Mercantile Building  
2 Hopkins Plaza  
Baltimore, MD. 21201  
(Baltimore City)

Case No.

AMOCO CORPORATION

Serve: Timothy O'Brien  
200 E. Randolph Road  
Chicago, IL. 60601 ✓  
RETURN FOR PRIVATE PROCESS

Defendants

**COSTS WAIVED**

PETITION FOR CONDEMNATION

\$59,400<sup>00</sup> x 4

*omit clerk  
Send notice to  
Defendants.*

*EM*

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland (hereafter called "Petitioner"), respectfully shows that:

1. Petitioner is duly authorized to acquire the Property Interest hereinafter described for public purposes by the following Ordinance(s) of the Mayor and City Council of Baltimore, viz:

Ordinance No. 256

Approved: July 8, 1993

2. It is necessary for the Petitioner to acquire the Perpetual Drainage Easement interest(s) in and to the property known as 1465 Key Highway Baltimore City, State of Maryland (hereinafter called the "property") more particularly described in "Schedule "A", attached hereto, together with improvements thereupon, and all the rights, ways, waters, easements, privileges, advantages and appurtenances thereto belonging or in anywise appertaining.

3. This property will be used for Key Highway Reconstruction ~~purposes, namely the~~  
~~project.~~

4. The right, title, interest and estate of the Defendant(s) in and to the Property hereby sought to be condemned, are as follows, viz:

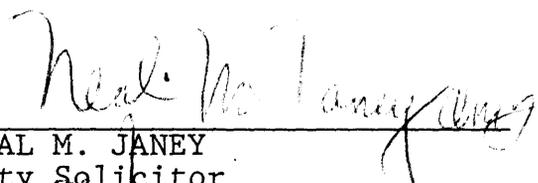
The fee simple interest in the above described lot of ground is vested in FHK Properties Partnership.

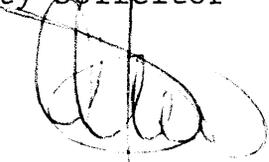
Said fee simple interest may also be subject to a lease between FHK Properties Partnership and Amoco Oil Co.

5. Petitioner and its duly authorized municipal officers are unable to agree with the Defendant(s) upon a price to be paid for said property interest, and therefore seeks to acquire the same by condemnation.

WHEREFORE, this proceeding is brought and Petitioner prays that this Honorable Court will have said property, with all improvements thereon, and all rights and appurtenances in anywise appertaining thereto as aforesaid and every interest therein, condemned as to the said Perpetual Drainage Easement interest(s), for the uses and purposes of the Mayor and City Council of Baltimore in accordance with the requirement of the law in such cases made and provided, the provisions of Title 12 of the Real Property Article of the Maryland Annotated Code (1957 Edition) and all amendments thereto.

AND AS IN DUTY BOUND, etc.

  
NEAL M. JANEY  
City Solicitor

  
OTHO M. THOMPSON  
Deputy City Solicitor

  
MICHAEL J. DOXZEN  
Assistant Solicitor

101 City Hall  
Baltimore, Maryland 21202  
396-3933

Attorney for Petitioner

SCHEDULE A

BEGINNING for the first thereof at the point formed by by the intersection of the southwest side of Key Highway East, formerly Clement Street, 66 feet wide, and the second line of Key Highway, Third Section, as condemned and opened under Ordinance No. 618, approved May 17, 1915; said point of beginning being at the distance at 120.5 feet northwesterly from the point formed by the intersection of the southwest side of said Key Highway East and the northwest side of Woodall Street, 66 feet wide; and running thence binding on a part of the second line of said Key Highway, Third Section, south 24 degrees 13 minutes 47 seconds west 13.16 feet; thence south 80 degrees 30 minutes 45 seconds west 179.29 feet to intersect the east side of Key Highway, as now proposed to be left open 80 feet wide; thence binding on the east side of said last mentioned Key Highway northerly by a line curving to the left with a 440 foot radius the distance of 120.36 feet, which arc is subtended by a chord bearing north 20 degrees 00 minutes 00 seconds west 110.99 feet; thence by a line curving to the right with a 15 foot radius the distance of 37.2 feet, which arc is subtended by a chord bearing north 43 degrees 12 minutes 38.5 seconds east 28.37 feet to the southwest side of said Key Highway East; and thence binding on the southwest side of said Key Highway East, south 65 degrees 44 minutes 30 seconds east 223.59 feet to the place of beginning. Known as 1465 Key Highway.